

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10755 of 1997

ORAL ORDER:

This writ petition is filed being aggrieved by the order made in C.M.P.No.59 of 1988 dated 1.9.1989 on the file of the Industrial Tribunal-cum-Labour Court, Visakhapatnam.

It appears, petitioner filed an application under Section 33-C(2) of the Industrial Disputes Act, 1947 claiming an amount of Rs.2,660/- towards difference in wages, pay in lieu of notice and retrenchment compensation. After detailed consideration of the matter, the Labour Court dismissed the said application by order dated 1.9.1989 after noticing the fact that the petitioner had filed Ex.W1-service card, which shows that the petitioner had no continuous service from 10.8.1971 to 9.3.1979. Further, she only worked for 25 days during 1971 and that she never worked again for a period of (7) years. Thus, according to Ex.W1 service card, she has no qualified continuous service for a period of 240 days within a period of 12 months preceding the date of termination, therefore, the petitioner is not entitled for any difference in wages, notice pay and retrenchment compensation. Aggrieved by the same, after a gap of (8) years, she filed the present writ petition. I am of the view that the writ petition itself suffers from irretrievable laches apart from the fact that no ground is made out to interfere with the order passed by the Labour Court in C.M.P.NO.59 of 1988 dated 1.9.1989. The writ petition is devoid of merits and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

C.V.RAMULU, J

Date: 14.2.2007
DA

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**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10755 of 1997

Date: 14th February, 2006

Between:

B.Atchayamma

.. Petitioner

And

The Industrial Tribunal-cum-Labour Court,
Visakhapatnam & others.

.. Respondents